

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
GARY L. HALLING, Cal. Bar No. 66087
3 JAMES L. MCGINNIS, Cal. Bar No. 95788
MICHAEL W. SCARBOROUGH, Cal. Bar No. 203524
4 MONA SOLOUKI, Cal. Bar No. 215145
Four Embarcadero Center, 17th Floor
5 San Francisco, California 94111-4109
Telephone: 415-434-9100
6 Facsimile: 415-434-3947
E-mail: ghalling@sheppardmullin.com
7 jmcginnis@sheppardmullin.com
mscarborough@sheppardmullin.com
8 msolouki@sheppardmullin.com

9 Attorneys for Defendants
10 SAMSUNG SEMICONDUCTOR, INC. and
SAMSUNG ELECTRONICS COMPANY, LTD.,
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12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 IN RE STATIC RANDOM ACCESS
18 MEMORY (SRAM) ANTITRUST
LITIGATION
19

Case No. 4:07-md-1819 CW

MDL No. 1819

20 This Document Relates to:

21 ALL ACTIONS
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**STIPULATION AND ORDER
REGARDING CORPORATE
DEFENDANT FAMILY REFERENCES
AND SETTLEMENT SETOFFS**

1 WHEREAS, the Court, in its December 16, 2010 Order on Motions in Limine and
2 for Pre-Trial Preparation, directed the Parties to attempt to stipulate regarding, *inter alia*, (a) the
3 use of combined, singular references at trial to multiple entities within a particular current or
4 former Defendant corporate family; and (b) the process for taking into account prior settlements in
5 calculating the final amount of any damage awards that may be entered in these actions; and

6 WHEREAS, the Parties have met and conferred on these and other issues directed
7 by the Court, and have reached agreement as set forth below;

8 NOW THEREFORE, it is hereby stipulated by the undersigned counsel on behalf
9 of the Parties identified below, and subject to the Court's approval, that:

10 1. The Parties stipulate and agree that at trial and in the special verdict forms,
11 the Parties may refer to each set of Defendants or former co-Defendants from a single corporate
12 family by using a single corporate family name (e.g., "Samsung" as a collective reference to both
13 Samsung Electronics Company, Ltd. and Samsung Semiconductor, Inc.). The Parties, however,
14 reserve the right to present testimony and argument that distinguishes between members of a
15 particular corporate family, as may be necessary at trial.

16 2. The Parties further stipulate and agree that, in the event of a jury verdict
17 awarding damages, Defendants will be entitled to a setoff (i.e., a reduction) based on prior
18 settlements. The nature and amounts of such setoffs shall be determined by the Court post-verdict
19 and pre-judgment.

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21 Dated: December 28, 2010

Respectfully submitted,

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23 **SHEPPARD MULLIN RICHTER**
24 **& HAMPTON LLP**

25 By: /s/ Michael W. Scarborough
26 MICHAEL W. SCARBOROUGH

27 *Attorneys for Samsung Electronics Co., Ltd. and*
28 *Samsung Semiconductor, Inc.*

COTCHETT, PITRE & McCARTHY

By: /s/ Steven N. Williams
STEVEN N. WILLIAMS

Attorneys for Direct Purchaser Plaintiffs

**ZELLE HOFMANN VOELBEL
& MASON LLP**

By: /s/ Christopher Micheletti
CHRISTOPHER MICHELETTI

Attorneys for Indirect Purchaser Plaintiffs

MAYER BROWN LLP

By: /s/ Lee Rubin
LEE RUBIN


Attorneys for Cypress Semiconductor, Inc.

I, Michael W. Scarborough, hereby attest, pursuant to N.D. Cal. General Order No. 45, that
the concurrence to the filing of this document has been obtained from each signatory hereto.

/s/ Michael W. Scarborough
MICHAEL W. SCARBOROUGH

IT IS SO ORDERED

Dated: 1/3/2011


The Honorable Claudia Wilken
United States District Judge